

**MINUTES OF THE  
ADMINISTRATIVE RULES REVIEW COMMITTEE**  
Tuesday, May 29, 2001 – 9:00 a.m. – Room 305 State Capitol

**Members Present:**

Sen. Howard A. Stephenson,  
Senate Chair  
Rep. David Ure,  
House Chair  
Sen. Mike Dmitrich  
Sen. Ed Mayne  
Rep. Judy A. Buffmire  
Rep. James R. Gowans  
Speaker Martin R. Stephens  
Rep. John E. Swallow

**Members Excused:**

President Al Mansell  
Sen. Michael G. Waddoups

**Staff Present:**

Mr. Arthur L. Hunsaker,  
Research Analyst  
Ms. Susan Creager Allred,  
Associate General Counsel  
Ms. Cassandra Bauman,  
Legislative Secretary

Note: A list of others present and copies of handouts distributed in the meeting are on file in the Office of Legislative Research and General Counsel.

**1. Call to Order and Approval of Minutes**

Chair Stephenson called the meeting to order at 9:15 a.m.

**MOTION:** Rep. Buffmire moved to approve the minutes of May 8, 2001. The motion passed unanimously with Speaker Stephens and Rep. Swallow absent for the vote.

**2. R590-206 Privacy of Consumer Financial and Health Information Rule**

Chair Stephenson explained that the rule requires retailers who provide insurance contracts to register with the Insurance Department.

Mr. James V. Olsen, Utah Retail Merchant's Association, stated that the federal Gramm-Leach-Bliley Act of 1999 has notification requirements dealing with privacy of personal information. He explained his understanding of the act and requested that the retail merchants providing insurance contracts be exempted.

Mr. Neal Gooch, Deputy Insurance Commissioner, explained that the Gramm-Leach-Bliley Act requires that states must adopt legislation or rules in compliance with the act before July 1, 2001. Speaker Stephens asked if an emergency rule would resolve the situation. Mr. Gooch said it would.

Mr. Kent Bishop, Governor's Office of Planning and Budget, concurred that an emergency rule would be a good idea. Mr. George Sutton, Callister Nebekker & McCullough, further explained reasons for excluding merchants and stated he was in favor of an emergency rule to resolve the situation. Mr. Chris Kyler, General Counsel, Utah Association of Realtors, spoke in

favor of creating an emergency rule to exempt Financial Service Industries. Mr. Gooch stated that an emergency rule would be written.

### **3. Review of Statutes and Rules Governing Firearms**

Mr. Arthur Hunsaker, Research Analyst, Office of Legislative Research and General Counsel, handed out "Statutes Restricting Use of Firearms" and "Rules Restricting Use of Firearms." He emphasized the relevant references both in statute and rule and how they related to concealed firearm permit holders. Committee discussion followed.

### **4. Review of Broad Statutory Grants of Rulemaking Authority**

Mr. Hunsaker reviewed "Broad Statutory Grants of Rulemaking Authority" from the May 29, 2001 mailing packet. Committee discussion followed. Rep. Ure requested that a copy of the handout be given to Mr. Gary Thorup, Robert Holmes & Owen, for his review and comment, as Mr. Thorup addressed the committee regarding his concerns with the issue at the April 24, 2001 meeting.

### **5. Committee Business**

Mr. Hunsaker handed out new labels for the Utah State Bulletin, which corrected the date from June 1, 2001 to May 15, 2001.

Mr. Hunsaker explained a fax which he received from an Australian parliament subcommittee that is planning a visit to several states, including Utah, in July. The committee expressed interest in having the Australian Regulation Review Subcommittee on the agenda for a July 2001 meeting.

#### **a. Date of Next Meeting**

Meetings are scheduled for June 12 and June 26, 2001 at 9:00 a.m. in room 305.

#### **b. Items for Next Meeting**

Rep. Ure requested that representatives of the Division of Parks and Recreation attend the next meeting to discuss R651-404 and R561-620. He also requested that the Department of Agriculture come and discuss meat inspection standards.

Sen. Mayne said he would contact staff about a Wildlife Resources issue.

**6. Adjourn**

**MOTION:** Rep. Ure moved to adjourn the meeting at 11:15 a.m. The motion passed unanimously with Speaker Stephens and Rep. Swallow absent for the vote.

